

# CUOMO

LLC

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February 13, 2023

**By ECF**

Honorable Loretta A. Preska  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Harris v. The State of New York, et al, 20 CV 08827(LAP)

Dear Judge Preska:

I represent defendant Lawrence Schantz in the above captioned action. I write to respectfully request an adjournment of the oral argument on the defendants' motions to dismiss the amended complaint. The current date set by the Court is February 21, 2023. I have been in trial in Putnam County in the matter of People v Andrew Krivak since January 9<sup>th</sup>. The trial is scheduled to go through the week of February 20. Accordingly, I anticipate being engaged in trial on the 21<sup>st</sup> of February.

I have conferred with all counsel, and we are all available March 22-24 or March 27-31. I have received no opposition to the adjournment. It is the first request for an adjournment of the oral argument date. I ask that the Court set an oral argument date within the above time frame, and which also suits the Court's schedule.

Thank you for your consideration in this matter.

Respectfully submitted,

*s/Oscar Michelen*

Oscar Michelen

SO ORDERED

*Loretta A. Preska*  
LORETTA A. PRESKA  
UNITED STATES DISTRICT JUDGE

cc: All defense counsel by ECF

*2/14/23*